III. REMARKS

In the Office Action (Point 1), suggestion was made to modify the term "adapted to" in claims 1, 17, 18 and 20. The suggestion of the examiner is followed by amendment of these claims.

Claims 1-9, 17 and 18 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement, for reasons set forth in the Office Action. Claims 2, 6 and 13 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite, and also for being incomplete for omission of essential structural cooperative relationships of elements, as explained in the Office Action. Claims 10-16, 19 and 20 were rejected under 35 U.S.C. 101 because of non-statutory subject matter for reasons set forth in the Action.

Claims 1-3, 5, 7-8, 10-12, 14-15, and 17-20 were rejected under 35 U.S.C. 103 as being unpatentable over Phillips Semiconductors "The 12C Bus Specification" (Phillips) in view of Erickson (US 5,768,618) for reason set forth in the Action. Claim 4 was rejected under 35 U.S.C. 103 over Phillips in view of Erickson, and Shuen (US 5,572,528), and Claims 9 and 16 were rejected under 35 U.S.C. 103 over Phillips in view of Erickson, and Lo (US 5,911,044), for reasons set forth in the Action.

With respect to the rejections based on 35 U.S.C. 112, first paragraph, claim 1 is amended to provide separate description of the composition of the system and of the data package, thereby to overcome the matter of the "single means claim". In the amendments of claims 17 and 18, respectively, the compositions of the receiver unit and the transmitter unit are specifically recited to overcome the matter of the "single means claim".

With respect to the rejections based on 35 U.S.C. 112, second paragraph, the term "such as" has been amended in claim 2 to clarify the claim. Claim 6 and claim 13 are amended, respectively, to provide further descriptions of the field used for buffering,

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thereby to provide the necessary cooperative relationships among the claim elements. Support is found in the specification for the amendments of claims 6 and 13, namely, a description of the sixth header field, serving as a buffering field, is provided on page 7 at lines 15-23.

With respect to the rejections based on 35 U.S.C. 101, the examiner notes that claim 10 is describing a data package which is a signal, and, hence, non-statutory subject matter. Accordingly, claim 10 is amended to recite a method for formulating a data package. This is believed to be statutory subject matter, such as modulating or amplifying or coding (by way of example) a signal.

In the matter of claim 20, which was said to be directed to a computer program, and, hence, non-statutory subject matter, claim 20 is amended to recite a server of a computer program, wherein the computer program comprises code performing a set of specified steps when the program is run in a data processor. This is believed to be statutory subject matter. Support for the amendment to claim 20 is found in the specification on page 10 at line 32, and on page 22 at lines 12-18, wherein the specification makes reference to a computer program and to a server that dispenses a program via the program language, Java.

In the matter of claim 19, which was said to be directed to subject matter having no practical application, the claim is amended to set forth a step of providing, in the data package, a data payload for establishing data communication between a plurality of said electronic modules. This is believed to be a practical application of the claimed subject matter, so that the amendment overcomes this ground of rejection.

With respect to the rejections under 35 U.S.C. 103, the examiner bases the rejections on the combined teachings of Phillips in view of Erickson. These teachings are readily distinguished from the presently claimed subject matter.

In the discussion of the presently claimed subject matter, the present specification (paragraph linking pages 3 and 4) notes that an object of the invention is to solve a problem relating to I^2C^{TM} specifications and provide backward and forward compatibility. This problem is discussed in the specification on page 3 at lines 9-28. In particular, the specification notes that different sets of data exchange rules may be required upon addition of further modules to an existing electronic system utilizing an I^2C^{TM}-bus.

In contrast, Erickson directs attention (col. 1 at lines 56-59) to the need for multiple user processes in a single computing node for sharing direct access to an I/O device. Erickson creates a virtual memory (col. 2 at lines 1-7), with further details in the construction being provided in the last paragraph of column 2. In the rejection, the examiner relies on the layered structure (Erickson, Fig. 6, Box 602), and notes similarities between header fields of Erickson and the presently claimed subject matter.

The following further points of differentiation of the teachings of Erickson, considered in combination with Phillips, from the presently claimed subject matter are noted. In Erickson, the Service Type is used for Quality of Service definition such as normal delay or high throughput. The data payload field in the practice of the presently claimed subject matter is used for identification of different types of the transferred payload, such as OBEX. Also, as a further difference, in Erickson, the length field defines the length of the datagram, measured in octets, including internet header and data. In the presently claimed subject matter, the length field defines only the length of the payload.

Furthermore, in Erickson, the offset value is a fragment offset value that indicates where in the datagram this fragment belongs. A datagram can be separated into several fragments which are identified, such that the first fragment has the value zero. In the presently claimed subject matter, the offset held is used to identify the start position of the data payload in the data packet to give the flexibility for future

extensions of the protocol. A data package fragment sequence number is disclosed in the present specification on page8 at line 3.
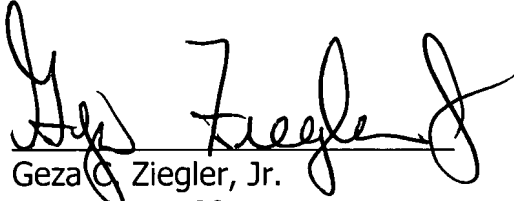
With respect to the rejections under 35 U.S.C. 103, there is no motivation to combine the references because of the foregoing very different objects of the present specification and Erickson, namely, dealing with data exchange rules in the present specification, and sharing direct access to an I/O device in Erickson. As noted in MPEP 2143.01, for a determination of obviousness, the proper inquiry is whether there is something in the prior art as a whole to suggest the desirability of pursuing the presently claimed subject matter. The fact that a references can be combined or modified is not sufficient to establish obviousness; although a prior-art device may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so, in order to indicate obviousness.

In order to emphasize the above-noted distinctions between the cited art and the present claims, the independent claims 1, 10, 19 and 20 are amended to recite that information contained within the header fields provides compatibility among individual ones of the electronic modules operating under differing rules of data exchange. In view of this amendment to the independent claims, it is urged that there is no motivation or suggestion for the combination of the teachings of Phillips with Erickson. Therefore, this amendment and argument are believed to overcome the rejections to secure allowable subject matter in the claims.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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